

GIFTS TO THE ARMY, MEDCOM AND SOLDIERS

Gifts to the Army. SA has delegated to TSG the authority to accept gifts of a value of \$20,000 or less. These gifts are processed through MEDCOM to Army General Counsel. AR 1-100, Gifts and Donations.

Gifts to the Army for Distribution to Individuals. Commanding Generals of each Regional Medical Command may accept gifts in-kind (no cash) in the amount of \$20,000 or less for the personal use of individuals. These gifts must promote health, comfort, convenience, and morale (e.g. reading materials and writing paper), but will not include alcoholic beverages. The donor must agree to pay transportation costs. The donor may not restrict public release of information regarding the gift, and the Army will make no public announcement or acknowledgement of gifts received. AR 1-101, Gifts for Distribution to Individuals.

Gifts to Non-Appropriated Fund Instrumentalities. A NAFI may accept gifts of real or personal property or gifts of a monetary value when voluntarily offered by private individuals or groups, if a determination is made that acceptance is in the NAFI's best interest. The following authorities may approve offers of gifts: the MWR director, amounts up to \$15,000; the garrison commanders up to \$50,000; IMA Regional Directors, up to \$100,000; FMWRC, amounts up to \$250,000; and SA, amounts over \$250,000. AR 215-1, Military Morale Welfare & Recreation Programs and Nonappropriated Fund Instrumentalities.

Gifts to Ill or Injured Soldiers. JER, Section 3-400, was amended 23 Mar 06 to allow active duty service members who have incurred illnesses or injuries as a result of armed conflict or other circumstance as defined in Section 3-401, while on active duty on or after 11 September 2001, and their Family Members (parents, siblings, spouse, children, and dependent relatives), to accept unsolicited gifts from non-federal entities provided the gifts meet the following criteria:

- (1) The gifts are not from foreign governments or their agents,
- (2) The gifts are not solicited or coerced, and
- (3) The gifts were not offered to influence the performance of official acts.

If the value of a gift exceeds \$305.00, per source per occasion, or the aggregate value exceeds \$1,000 received from any one source in a calendar year, an agency ethics official must determine in writing the following:

- (1) The gift is not offered in a manner that specifically discriminates among injured active duty members on the basis of official responsibility or favors those of higher rank or rate of pay;
- (2) The donor does not have interests that may be affected substantially by the performance or nonperformance of the covered DoD employee's official duties; and
- (3) Acceptance would not cause a reasonable person with knowledge of the relevant facts to question the integrity of DoD's programs or operations.